IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION

DOCKET NO. 3:20-CR-00240-KDB-DSC

UNITED STATES OF AMERICA,)
)
)
)
v.) <u>ORDER</u>
)
KLAYTRENA KATRECE ODOM- PRICE,)
)
Defendant.)

THIS MATTER is before the Court on appointed counsel Julia G. Mimms' "Motion for Inquiry into Status of Counsel" (document #210) filed on July 21, 2021. Defendant is scheduled for docket call before District Judge Kenneth D. Bell on September 7, 2021. The Court held a hearing on this matter on August 4, 2021. The Court heard from Ms. Mimms, Defendant, and the Government.

Ms. Mimms was appointed to represent Defendant on January 14, 2021. Ms. Mimms filed a Motion For Inquiry of Counsel on April 24, 2021 which she subsequently withdrew on May 18, 2021. In that Motion, she represented that Defendant would not cooperate with her. The present Motion states almost identical grounds. Ms. Mimms credibly represents that Defendant has consistently refused to cooperate with her since her appointment. Defendant has repeatedly ignored numerous communications from counsel including calls and emails. In response, Defendant cites health issues and accuses Ms. Mimms of being untruthful. The Court concludes that Defendant has obstructed Ms. Mimms' efforts to provide representation in this case and

counsel should be allowed to withdraw. The Court advised Defendant that she is acting contrary to her own best interests given the seriousness of the pending charge and accompanying mandatory minimum sentence. The Court also advised her that her circumstances will not change with appointment of new counsel. The Court directs the Federal Defender to assign new counsel.

The Clerk is directed to send copies of this Order to the Federal Defender, Ms. Mimms, the Government and to the Honorable Kenneth D. Bell.

SO ORDERED.

Signed: August 5, 2021

David S. Cayer

United States Magistrate Judge